#### 

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February 28, 2008



### BY HAND

Hon. Deborah A. Batts United States District Court Judge Southern District of New York 500 Pearl Street, Room 2510 New York, New York 10007

Re:

In re Lehman Brothers Holdings, Inc., Derivative Litigation, 07-Civ-2990 (DAB) 3 **2 8** 200.

BERS OF A. BATTS
3.D.J.

# Dear Judge Batts:

We represent Individual Defendants Richard S. Fuld, Jr., Michael L. Ainslie, John F. Akers, Roger S. Berlind, Thomas H. Cruikshank, Marsha Johnson Evans, Sir Christopher Gent, Roland A. Hernandez, John D. Macomber, Jeremy Isaacs, Bradley H. Jack, Henry Kaufman, Michael F. McKeever, Dina Merrill, Jeffrey Vanderbeek, Jonathan Beyman, John L. Cecil, David Goldfarb, Joseph M. Gregory, Christopher O'Meara, and Thomas A. Russo (collectively, the "Individual Defendants") in the above referenced action and write to respectfully request a 10-page extension of the 25-page limit for the Memorandum of Law in Support of the Individual Defendants' Motion to Dismiss the Verified Consolidated Shareholder Derivative Complaint that is scheduled to be filed on Tucsday March 4, 2008.

In order for the twenty-one (21) Individual Defendants to adequately address all of the claims contained in the 143 paragraph complaint filed by Plaintiffs, it is necessary for the Individual Defendants to submit a memorandum of law in support of their motion to dismiss not exceeding 35-pages, including a chart which the Individual Defendants believe will assist the Court in assessing Plaintiffs' claims against the Individual Defendants. Notwithstanding the Individual Defendants attempt to be concise, the sheer number of Individual Defendants coupled with the various arguments the Individual Defendants must address require slightly more written space than is allowed under the rules.

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## KELLEY DRYE & WARREN LLP

Thus, the Individual Defendants respectfully request Your Honor's permission to submit a memo of law in support of their motion to dismiss, not to exceed 35-pages.

Thank you for your consideration of this request.

Respectfully submitted,

John M. Callagy

JMC/sf

cc: Beth A. Kaswan, Esq. (via faesimile and U.S. Mail)

David R. Scott, Esq. (via facsimile and U.S. Mail)

Geoffrey M. Johnson, Esq. (via facsimile and U.S. Mail)

Brian J. Robbins, Esq. (via facsimile and U.S. Mail)

Michael J. Chepiga, Esq. (via facsimile and U.S. Mail)

SO ORDERED

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DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

29 Feb Z008